

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**KEVIN McGHIEY,**

Plaintiff,

v.

**METRO NEWS SERVICE, INC.,**

Defendant.

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**CIVIL ACTION NO.**

**SA-12-CV-00578-FB**

**DEFENDANT’S DESIGNATION OF PROPOSED EXHIBITS**

Defendant Metro News Service, Inc. (“Metro News”), through its undersigned counsel, and pursuant to this Court’s Scheduling Order, submits the following designation of proposed exhibits:

**PROPOSED EXHIBITS**

1. Plaintiff Kevin McGhiey has not yet provided responses to Metro News’ first set of written discovery requests. Plaintiff’s responses are currently due December 21, 2012. Metro News reserves the right to introduce any documents produced by Plaintiff in response to Metro News’ first set of written discovery requests, any subsequent discovery requests, and any supplemental production.

2. EEOC-related documents, including right-to-sue notices, applicable to Plaintiff’s claims.

3. Texas Workforce Commission-related documents, including right-to-sue notices, applicable to Plaintiff’s claims.

4. Any and all other documents which may be identified through discovery as potential exhibits and which are admissible under the Federal Rules of Civil Procedure and Evidence.

5. Metro News reserves the right to introduce rebuttal exhibits and documents for impeachment in addition to those listed herein pursuant to the Federal Rules of Civil Procedure and Evidence.

6. As discovery is ongoing, Metro News reserves the right to introduce and use as an exhibit any document produced by any party in discovery in this matter and that are admissible under the Federal Rules of Civil Procedure and Evidence.

7. Metro News also reserves its right to supplement and/or amend its Designation of Proposed Exhibits as necessary under the Federal Rules of Civil Procedure as discovery is ongoing and depositions have not begun and written discovery is not completed.

Respectfully submitted on this 14th day of December, 2012,

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **Defendant's Designation of Proposed Exhibits** was served via the court's ECF system on this 14<sup>th</sup> day of December, 2012, on the following:

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*s/ Nathan A. Schacht*